

REMARKS

Claims 1-9 are currently pending in this application, as amended. By this reply, claims 6 and 8 have been amended to address a minor informality. The amendment does not further limit the scope of the claims. Applicant respectfully submits that no new matter has been introduced into the application by these amendments.

In the action, the Examiner rejected claims 1-8 under the judicially created doctrine of obviousness type double patenting as unpatentable over several claims in the parent application which issued as U.S. Patent 6,637,893. In response, Applicants have submitted a Terminal Disclaimer and Statement of Common Ownership along with the requisite fee. Accordingly, it is respectfully submitted that the obviousness type double patenting rejection has been overcome by the Terminal Disclaimer. Claim 9, which depends from claim 1, should also now be patentable in view of the Terminal Disclaimer.

In the action, claims 6 and 8 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

In response, Applicant has amended claims 6 and 8 in order to positively recite "a sensor". Accordingly, withdrawal of the 35 U.S.C. § 112 rejection is respectfully requested.

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Application No.: 10/695,175

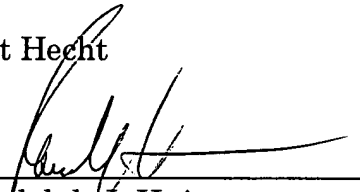
If the Examiner believes that any additional minor formal matters need to be addressed in order to place the present application in condition for allowance, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the present application, including claims 1-9, is in condition for allowance, and a Notice to that effect is respectfully solicited.

Respectfully submitted,

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By


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Enclosure